

**PRESENTATION OF PROCLAMATION FOR
NATIONAL NIGHT OUT
AUGUST 6, 2002**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council. Hearings scheduled for today:

CONTINUED HEARING:

Modified report of Hearing Officer on Page 9, Paragraph 4, by deleting reference to testimony that the facility was open 24 hours a day, seven days a week in violation of Long Beach Municipal Code Section 5.72.140," as it appears in 1966 that Java Lanes was granted a 24 hours a day, seven days per week permit, and modified verbiage on Page 13, Paragraphs 4 and 5, by changing reference from "temporary permit" to "short-term permit;" received supporting documentation into the record, considered Hearing Officer's report, concluded the hearing, and denied the permit. (Doc. 2)

1. Report and determination of Hearing Officer regarding the appeal of Stanwest, Inc., dba Java Lanes, for a Permit for Entertainment with Dancing by Patrons at an Existing Bar/Tavern/Lounge at 3800 E. Pacific Coast Highway. (City Clerk) (District 4)
Suggested Action: Receive supporting documentation into the record, consider Hearing Officer's report, conclude the hearing, and grant or deny the permit.

HEARINGS:

Continued hearing to August 27, 2002, at 5:00 P.M. (Doc. 3)

2. Application of Chump Change Entertainment, Inc., dba Alex's Cocktail Lounge, for a Permit for Entertainment Without Dancing by Patrons at an Existing Restaurant at 2913 E. Anaheim Street. (Report of Director of Financial Management) (District 4)
Suggested Action: Receive supporting documentation into the record, conclude the hearing and grant the permit, with or without conditions; or deny the permit.

Received supporting documentation into the record, concluded the hearing, reviewed and considered material contained in Negative Declaration 45-01; and declared Ordinance read the first time and laid over to the next regular meeting of the City Council for final reading. (Docs. 4-5)

3. Rezoning from Medium-Density Multiple Residential (R-4-N) to Dense Multiple Residential, Urban (R-4-U) to allow construction of proposed 82-unit Temple Lofts Project located at 835 Locust Avenue. (Report of City Planning Commission) (Ordinance amending the Use District Map of the City of Long Beach as that map has been previously established by amending Part 9 of said map to reflect a zone designation change from R-4-N to R-4-U; and by amending Ordinance No. C-7322, adopted April 25, 1995, as amended, by amending Map 4 relating to the Long Beach Boulevard Planned Development District [PD-29] to reflect a zone designation change from R-4-N to R-4-U.) (New Urban West, Inc., in support.) (City Planning Commission) (District 1)
Suggested Action: Receive supporting documentation into the record, conclude the hearing, review and consider material contained in Negative Declaration 45-01; and declare Ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

PUBLIC: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

CONSENT CALENDAR (4 - 16)

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

DEPARTMENTAL COMMUNICATIONS:

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| R & F. (Doc. 6) | 4. RECEIVE AND FILE report on Supplemental Law Enforcement Services Funding. (Financial Management) (Citywide) |
| Auth'd. City Atty. (Doc. 7) | 5. AUTHORIZE CITY ATTORNEY to submit Stipulations with Request for Award for approval by Workers' Compensation Appeals Board, and if so approved, authority to pay \$8,040 in compliance with Appeals Board order for claim of Thomas Keleher. (Law) |
| Auth'd. City Atty. (Doc. 8) | 6. AUTHORIZE CITY ATTORNEY to pay sum of \$11,200 in full settlement of the lawsuit of Berke v. City of Long Beach and Eddy v. City of Long Beach. (Law) |
| Auth'd. City Atty. (Doc. 9) | 7. AUTHORIZE CITY ATTORNEY to pay sum of \$10,505.86 in full settlement of the claim of Total Telco against the City of Long Beach. (Law) |
| Auth'd. City Atty. (Doc. 10) | 8. AUTHORIZE CITY ATTORNEY to pay sum of \$17,000.00 in full settlement of the lawsuit of Mark Evans against the City of Long Beach. (Law) |
| Approved. (Doc. 11) | 9. APPROVE donation and transfer of title of Vehicle No. 10415, a retired 1991 Jeep Cherokee sport utility vehicle, to the Long Beach Unified School District. (Long Beach Energy) (Citywide) |
| Auth'd. City Mgr. (Doc. 12) | 10. AUTHORIZE CITY MANAGER to execute Consent to Assignment from Armstrong Petroleum Corporation to Elmcot LLC, of all rights and obligations under the Natural Gas Sales and Purchase Agreement for locally produced gas processed by THUMS. (Long Beach Energy) (Citywide) |
| Auth'd. City Mgr. (Doc. 46) | 11. AUTHORIZE CITY MANAGER to execute a Net Metering and Interconnection Agreement with Southern California Edison on a month-to-month basis for a one-kilowatt residential solar demonstration project at the El Dorado Nature Center. (Parks/Recreation & Marine) (District 4) |
| R & F. (Doc. 13) | 12. RECEIVE AND FILE 2001 Recreation Commission Annual Report. (Parks, Recreation and Marine) (Citywide) |
| Auth'd. City Mgr. (Doc. 14) | 13. AUTHORIZE CITY MANAGER to execute an agreement between the City of Long Beach and the Federal Bureau of Investigation for participation in the Los Angeles South Bay Joint Terrorism Task Force (Dog Handler) to provide for the reimbursement of overtime costs, up to a maximum of \$10,092 per year and not to exceed \$841 per month. (Police) (Citywide) |
| R & F. (Docs. 15-20) | 14. RECEIVE AND FILE the following minutes:

City Planning Commission, June 6 and June 20, 2002
Civil Service Commission, July 10, 2002
Harbor Commission, July 22, 2002
Recreation Commission, June 20, 2002
Water Commission, July 4, 2002 |

Ref'd. to City Atty.
(Docs. 21-44)

15. **REFER TO CITY ATTORNEY** the following damage claims:

Roger L. Anderson	Amount Unknown
Stephen C. Chiasson	\$ 70.00
Mark Devenpeck	566.01
Manuel Escobedo	1,600
Marcus M. Evans	16,188.77
Ann Fields	290.00
Keith Gladieux	1,500.00
Constance Guillory	3,722.76
Timo Illig	75.00
Infinity Insurance Company, subrogee, for Romphin Rem	Amount Unknown
Denise Jacques	769.89
Faith King	25,000.00
John William Kling	100,000.00
William F. Losche, Jr.	1143.69
Araceli Martinez	2,977.38
Mercury Insurance Company, subrogee for David C. Dunlap	Amount Unknown
Mercury Casualty Company, subrogee, for Kay F. Jackson	4,626.26
Samuel Mitchell and Blondine Mitchell	2,500.00
Evelyn E. O'Fallon	Amount Unknown
Teresa Olmedo	140.00
Tina J. Simpson	740.00
Keith L. Smith	16,487.55
Emily G. Todd	152.65
Nickolas Young	110.00

Approved.
(Doc. 45)

16. **APPROVE** Proclamation proclaiming August 6, 2002, as “National Night Out” and calling upon citizens to join Long Beach Police Department and Lowe’s Home Improvement Warehouse in supporting the “9th Annual National Night Out.”

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

Ref'd. to City Mgr. for a
report back within 30-45
days. (Doc. 47)

17. Councilmember Dennis Carroll, Fourth District, requesting a traffic safety report for the intersection of the “Outer Traffic Circle” as it intersects Lakewood Boulevard and the Los Coyotes Diagonal, including traffic history and any recommendations to enhance motorist and pedestrian safety.
- Suggested Action: Refer to City Manager for a report back within 30-45 days.

Req'd. City Mgr. to prepare
report. (Doc. 48)

18. Councilwoman Jackie Kell, Fifth District, requesting report on placing in-car video systems in police cars.
- Suggested Action: Request City Manager to prepare report.

Concurred in recommen-
dation of Committee.
(Doc. 49)

19. Charter Amendment Committee, requesting a proposed amendment to the Long Beach City Charter Section 1803 to create a reformulated local preference program for placement on the November 5, 2002 ballot.
- Suggested Action: Concur in recommendation of Committee.

Ref'd. to Economic Development and Finance Committee, Elections Oversight Committee, and Personnel and Civil Service Committee. (Doc. 50)

Adopted Minute Order requesting the City Atty. to prepare an interim moratorium ordinance restricting and prohibiting citywide certain land uses and entitlements regarding self storage facilities, but excluding any applications submitted and paid for by August 20, 2002; and req'd. City Planning Commission to undertake a study of the existing Zoning Ordinance as it relates to self-storage land use and entitlements. (Docs. 51-52)

Approved all of the aforementioned adjustments to Fiscal Year 2002 department and fund appropriations in accordance with existing City Council policy. (Doc. 53)

Made Proposition "L" findings and determinations pursuant to Section 1806 of the City Charter regarding contracting of custodial services at designated Long Beach City facilities as certified, and auth'd. City Mgr. to execute amendment for a one-year extension in an amount not to exceed \$525,871. (Doc. 54)

Auth'd. City Mgr. to execute agreement and any subsequent amendments with the County of Los Angeles to provide Community Preservation Network Services in the amount of \$623,238 for a period of one year, and auth'd. City Mgr. to execute subcontracts and any subsequent amendments with the community-based organizations, as listed, for Community Family Preservation Network Services. (Doc. 55)

20. City Attorney, transmitting Ethics Review Task Force Final Report.
Suggested Action: Consider and approve report.
21. Director of Community Development, regarding proposed moratorium on establishment of self-storage businesses within the City of Long Beach. (Citywide) (Edward W. Lee, submitting letter from City Attorney, dated October 29, 2001, in response to letter from Edward W. Lee, regarding development of property at 712 W. Baker Street in Commercial Storage-zoned parcel.)
Suggested Action: Adopt Minute Order requesting the City Attorney to prepare an interim ordinance restricting and prohibiting citywide certain land uses and entitlements regarding self storage facilities; and request City Planning Commission to undertake a study of the existing Zoning Ordinance as it relates to self-storage land use and entitlements.
22. Director of Financial Management, transmitting Fiscal Year 2002 Third Quarter Budget Appropriation Adjustments.
Suggested Action: Approve all of the aforementioned adjustments to Fiscal Year 2002 department and fund appropriations in accordance with existing City Council policy.
23. Director of Financial Management, regarding Second Amendment to Contract No. 26980 with Grace Building Maintenance Company, Inc., for custodial services at various sites. (Citywide)
Suggested Action: Make Proposition "L" findings and determinations pursuant to Section 1806 of the City Charter regarding contracting of custodial services at designated Long Beach City facilities as certified, and authorize City Manager to execute amendment for a one-year extension in an amount not to exceed \$525,871.
24. Director of Health and Human Services, regarding agreement with Los Angeles County to provide Community Family Preservation Network Services and subcontract services with community-based organizations. (Citywide)
Suggested Action: Authorize City Manager to execute agreement and any subsequent amendments with the County of Los Angeles to provide Community Preservation Network Services in the amount of \$623,238 for a period of one year, and authorize City Manager to execute subcontracts and any subsequent amendments with the community-based organizations, as listed, for Community Family Preservation Network Services.

Auth'd. City Mgr. to execute amendments to Natural Gas Purchase Agreements with the identified local gas producers according to the pricing structure agreed to in the Amended 2001 Long Beach Tidelands Dry Gas Price Agreement, effective February 1, 2002 and any future amendments to the agreement. (Doc. 56)

25. Director of Long Beach Energy, regarding amendments to Natural Gas Purchase Agreements with sellers of locally produced natural gas. (Citywide)

Suggested Action: Authorize City Manager to execute amendments to Natural Gas Purchase Agreements with the identified local gas producers according to the pricing structure agreed to in the Amended 2001 Long Beach Tidelands Dry Gas Price Agreement, effective February 1, 2002 and any future amendments to the agreement.

Auth'd. City Mgr. to sign application and execute documents necessary to permit ShoreSales, LLC, to conduct event. (Doc. 57)

26. Director of Parks, Recreation and Marine, regarding application to secure Military Aerial Jet Teams and execution of documents necessary to permit ShoreSales, LLC, to conduct "ShoreFest at the Pike." (Districts 2,3,5)

Suggested Action: Authorize City Manager to sign application and execute documents necessary to permit ShoreSales, LLC, to conduct event.

R & F. (Doc. 58)

27. Chief of Police, reporting on the application of JetBlue Airways Corporation, dba JetBlue Airways, for an alcoholic beverage license at 4100 East Donald Douglas Drive. (District 5)

Suggested Action: Receive and file application, with or without conditions.

R & F. (Doc. 59)

28. Chief of Police, reporting on the application of Helena Sook Yoo, dba Dels Liquor, for an alcoholic beverage license at 4935 Long Beach Boulevard. (District 8)

Suggested Action: Receive and file application, with or without conditions.

RESOLUTIONS:

Adopted Resolution
No. C-28056. (Doc. 60)

29. Authorizing the City Manager to accept a grant from the California Department of Justice Spousal Abuser Prosecution Program (SAPP) and authorizing the City Manager to execute all necessary contracts and contracts on behalf of the City. (City Prosecutor) (Citywide)

Suggested Action: Adopt Resolution.

Adopted Resolution
No. C-28057 to replace Res. No. C-27553, authorizing City Mgr. to negotiate and execute Customer Natural Gas Transportation/Service Agreements between City of Long Beach and all Gas Rate Schedule 7 (Cogeneration), Schedule 8 (Enhanced Oil Recovery), and Schedule 9 (Transportation) customers for contract periods not to exceed two years or extensions therein of a lesser or like period, which shall continue until a new resolution changes the substance of these agreements. (Doc. 61)

30. Authorizing the City Manager to negotiate and enter into contracts for natural gas transportation and service between the City of Long Beach and its natural gas customers. (Long Beach Energy) (Citywide)

Suggested Action: Adopt Resolution to replace Resolution No. C-27553, authorizing the City Manager to negotiate and execute Customer Natural Gas Transportation/Service Agreements between the City of Long Beach and all Gas Rate Schedule 7 (Cogeneration), Schedule 8 (Enhanced Oil Recovery), and Schedule 9 (Transportation) customers for contract periods not to exceed two years or extensions therein of a lesser or like period, which shall continue until a new resolution changes the substance of these agreements.

July 30, 2002

Adopt Resolution No. C-28058 authorizing City Mgr. to apply for grant funds in the amount of \$20,000 from the California Integrated Waste Management Board to reimburse the City for costs incurred for the collection and disposal of illegally dumped waste tires, public education efforts and operation of Tire Amnesty Program; and auth'd. City Mgr. to execute all necessary documents with California Integrated Waste Management Board to operate the Waste Tire Public Education and Amnesty Program in the amount of \$20,000. (Doc. 62)

31. Authorizing submittal of an application to the California Integrated Waste Management Board for a Fiscal Year 2002/2003 Local Government Waste Tire Education and Amnesty Grant. (Long Beach Energy) (Citywide)

Suggested Action: Adopt Resolution authorizing City Manager to apply for grant funds in the amount of \$20,000 from the California Integrated Waste Management Board to reimburse the City for costs incurred for the collection and disposal of illegally dumped waste tires, public education efforts and operation of the Tire Amnesty Program; and authorize City Manager to execute all necessary documents with California Integrated Waste Management Board to operate the Waste Tire Public Education and Amnesty Program in the amount of \$20,000.

ORDINANCE:

First reading. (Doc. 63)

32. Amending Ordinance No. C-5963 regarding the terms of members of the Belmont Shore Parking and Business Improvement Area Advisory Commission. (Report of City Attorney) (District 3)

Suggested Action: Declare Ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.

NEW BUSINESS:

Received and made part of permanent record. (Doc. 1)

33. Affidavit of Service for special meeting of the City Council held Tuesday, July 30, 2002.

34.

35.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

REMINDERS: Charter Amendment Committee at 2:30 P.M.

August 6, 2002, Hearing on report and determination of Hearing Officer regarding the appeal of Yankee Doodles, Ltd. from the decision of the Director of Financial Management of an administrative rejection of a business license application for Yankee Doodles, located at 4100 E. Ocean Boulevard. (District 3)

August 6, 2002, Hearing on application of LBWTC Real Estate Partners, LLC, dba Hilton Long Beach, for a Permit for Entertainment with Dancing at an Existing Restaurant With Alcohol at 701 W. Ocean Boulevard. (District 2)

August 13, 2002, Underground Utility District No. 38. (Public Works)

July 30, 2002

NOTE: The City Council Agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed to the public if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Department, City Hall Plaza Level, 333 W. Ocean Boulevard, Long Beach, California, 90802. You may access the agenda on the World Wide Web Internet address of **www.ci.long-beach.ca.us/cityclerk** to view it. You may contact us through the use of E-Mail at **cityclerk@ci.long-beach.ca.us** for correspondence purposes. The public may review agenda items in the City Clerk Department or the Government Publications Section of the Main Library and the Branch Libraries. The City of Long Beach provides reasonable accommodations pursuant to the Americans with Disabilities Act of 1990. If a special accommodation is desired, or if you need the agenda provided in an alternate format, please phone Sharon Stone at (562) 570-6938 in the City Clerk Department 48 hours prior to the meeting. To communicate directly to the City Clerk Department Telephone Device for the Deaf (TDD), phone (562) 570-6626. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.

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